

Via Electronic Filing

September 2, 2005

Marlene H. Dortch  
Office of the Secretary  
Federal Communication Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Re: WC DOCKET NO. 05-196 – **SUBSCRIBER NOTIFICATION REPORT  
(SEPTEMBER 1, 2005)**

Dear Ms. Dortch:

Pursuant to the Enforcement Bureau's August 26, 2005 Public Notice (DA 05-2358) Pacific LightNet, Inc. (PLNI) hereby submits the following Subscriber Notification Report detailing the status of our efforts to comply with the notification and acknowledgment requirements of the FCC's *VoIP E911 Order*.<sup>1</sup> PLNI previously filed a Subscriber Notification Report on August 10, 2005 in response to the Bureau's July 26, 2005 Public Notice.

- Actions Taken To Comply with Notice and Warning Sticker Requirements:
  - On August 17<sup>th</sup>, 2005, after obtaining new address information, PLNI re-sent a postal letter to those customers for whom earlier letters were returned as undeliverable, outlining in prominent and plain language the limitations and circumstances under which e911 service may not be available through PLNI's interconnected VoIP service, including the differences between using a VoIP phone and a traditional TDM phone ("e911 Limitations"), and including a warning sticker outlining the e911 Limitations and advising the customer to place the sticker on or near the device that is used to make VoIP calls. As of September 1, 2005, one of the August 17 letters had been returned to PLNI as undeliverable. PLNI will continue to make every effort to obtain an accurate mailing address for this account and any others that are later returned as undeliverable. In addition, an electronic version of the e911 Limitations advisory was sent to 100% of the subscribers on July 28, 2005.
- Affirmative Acknowledgement Quantification, as of September 1, 2005:
  - Percentage of customers who have submitted an affirmative acknowledged: 64%
  - Percentage of customers from whom we do not expect to receive an affirmative acknowledge by September 28, 2005: 20%
- Future Planned Actions With Respect to Any Subscribers That Do Not Affirmatively Acknowledge Having Received and Understood the Advisory, Including PLNI's Use of "Soft" Disconnect Procedures:

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<sup>1</sup> *IP-Enabled Services and E911 Requirements for IP-Enabled Service Providers*, First Report and Order and Notice of Proposed Rulemaking, 2005 WL 1323217, FCC, (rel. Jun 3, 2005).

- Between now and September 20, 2005, PLNI will send at least three additional email letters/reminders to subscribers that have not yet submitted affirmative acknowledgements. In addition, throughout the month of August, PLNI actively attempted to contact non-compliant subscribers by telephone on a time-available basis, and PLNI intends to continue those efforts through September. Moreover, on July 27, 2005, PLNI modified the account management system to require customers to affirmatively acknowledge the E911 Limitations. Failure to make the acknowledgement withholds access to the management system.
  - On September 20, 2005, PLNI will “soft” disconnect non-compliant subscribers as a final attempt to obtain affirmative acknowledgements from such subscribers. In a “soft” disconnect all outbound calls made by the customer will be rerouted to the PLNI customer service team, with the exception of calls to 911, which will continue to be routed to the PSAP. Inbound callers will hear a “caller is unavailable” message. On September 28, 2005, PLNI intends to “hard” disconnect service to any subscriber who has not made an affirmative acknowledgement, meaning that the subscriber will be required to return all PLNI-owned equipment and the service will no longer be active at any level.
- Company Compliance Contact
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Sincerely,

Michael Frane  
Director of Strategic Business Operations